



Attorney Docket No. 1083.1027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jun KAKUTA, et al.

Application No.: 08/764,560

Group Art Unit: 2178

Filed: December 12, 1996

Examiner: C. Huynh

For: INFORMATION FRAGMENTS EDITING SYSTEM AND COMPUTER MEMORY
PRODUCT

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAY 05 2004

Technology Center 2100

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copies of IDS citations.
- 1c. ☒ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☒ English language translation (Abstract only) attached to each non-English language publication (NOTE: No translation provided for JP '200, JP '728, JP '289 and JP '059).
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☐ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. ☐ Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☐ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☒ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)

- 3a. ☒ The § 1.97(e) Statement in Item 5 below is applicable; OR
3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND
4b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

5. ☒ Statement under § 1.97(e) (*applicable if Item 3a or Item 4a is checked*)

(Check either Item 5a or 5b)

- 5a. ☒ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

(Check appropriate Items 6a and/or 6b)

- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

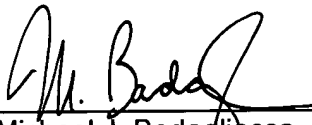
7. ☐ This is a continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114.
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed _____.
9. ☒ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☒ satisfied because all non-English language publications were cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed.)
- 9b. ☐ set forth in the application.
- 9c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 9d. ☐ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 5-2-04
1201 New York Ave., N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

By: 
Michael J. Badagliacca
Registration No. 39,099



Sheet 1 of 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)	ATTORNEY DOCKET NO.	APPLICATION NO.
	1083.1027	08/764,560
	FIRST NAMED INVENTOR	
	Jun KAKUTA, et al.	
	FILING DATE	GROUP ART UNIT
	December 12, 1996	2178

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						

RECEIVED
MAY 05 2004
Technology Center 2100

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AF	8-500200	01/1996	Japan				X
	AG	58-62728	04/1983	Japan				X
	AH	61-156289	07/1986	Japan				X
	AI	62-72059	04/1897	Japan				X
	AJ	1-126736	05/1989	Japan			(Abstract Only)	
	AK	3-42698	02/1991	Japan			(Abstract Only)	
	AL	6-131144	05/1994	Japan			(Abstract Only)	

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

TRANSLATION
YES NO

	AM			
--	----	--	--	--

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

OFFICE ACTION

Patent Application No. 8-047723
Drafting Date January 30, 2004
Mailing Date February 3, 2004
Patent Officer Examiner Kazumi IDE 9072 5E00
Provisions 29(2)

To Attorney Takao KOHNO

This application is rejected for the following reasons. A response should be filed within sixty days from the mailing date of this Notification.

Reasons

As the invention of the following claim of this application is considered such one that a person with ordinary skill in the art to which the inventions pertain could easily have been made prior to the filing of this application on the basis of the inventions described in the following publications issued in Japan or the foreign countries, this application cannot be patented according to the Patent Law 29 (2).

Note (As to the references, see the following list thereof)

[Claims: 1-20]

Cited reference 1 discloses a document processing computer system capable of creating composed document, in which data of another application program is handled as a containee object contained in a container application program, and by activating the object, the data in the object is made operable.

An object is one of data structures and various types of editing operations within an application program and the ability of copying and shifting between application programs is only a matter of design that can appropriately be added by a person with ordinary skills in the art.

Therefore, invention of these claims can easily be made by a person with ordinary skills in the art on the basis of the following cited reference 1.

Cited Reference 1: Japanese Patent Application Laid-Open NO. 8-500200
(Japanese translation of PCT International application)

PRIOR ART SEARCH

A search in Prior Arts was conducted on IPC 7th edition; G06F 3/00, 601-658

Prior Art: Japanese Patent Application Laid-Open NO. 58-62728

Japanese Patent Application Laid-Open NO. 61-156289

Japanese Patent Application Laid-Open NO. 62-72059

Japanese Patent Application Laid-Open NO. 1-126736

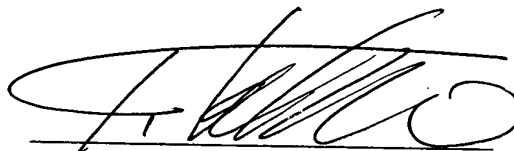
Japanese Patent Application Laid-Open NO. 3-42698

Japanese Patent Application Laid-Open NO. 6-131144

This recordation is not included in the Reason for Rejections.

CERTIFICATION

I, Kohno Takao; 4-3 Tsurigane-cho, 2-chome, Chuo-ku, Osaka 540-0035 JAPAN, hereby certify that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

A handwritten signature in black ink, appearing to read 'Takao Kohno', written over a horizontal line.

KOHNO Takao

Dated this 8th day of March, 2004

拒絶理由通知書

特許出願の番号 平成 8年 特許願 第047723号
起案日 平成16年 1月30日
特許庁審査官 井出 和水 9072 5E00
特許出願人代理人 河野 登夫 様
適用条文 第29条第2項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記 of 刊行物に記載された発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

[請求項1～20に対して]

下記引用文献1には、複合文書を作成できるようにした文書処理コンピュータシステムであって、他のアプリケーションのデータをコンテナアプリケーションに収納されたコンテニーオブジェクトとして扱い、オブジェクトを開くテーブルとすることによりオブジェクト内のデータを操作可能に構成するものが開示されている。

オブジェクトもデータ構造の1つであることから、アプリケーション内での各種編集操作やアプリケーション間でコピーや移動が可能なことは、文献をあげるまでもなく当業者が必要に応じて適宜付加しうる事項に過ぎない。

したがって、これらの請求項に係る発明は、下記引用文献1に記載された発明に基づいて当業者が容易に想到し得るものである。

引 用 文 献 等 一 覧

- ① 1. 特表平8-500200号公報

先行技術文献調査結果の記録

・調査した分野 I P C第7版 G 0 6 F 3 / 0 0 , 6 0 1 ~ 6 5 8

- ・先行技術文献①特開昭58-62728号公報
②特開昭61-156289号公報
④特開昭62-72059号公報
⑤特開平1-126736号公報
⑥特開平3-42698号公報
⑦特開平6-131144号公報

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡下さい。

特許審査第4部インターフェイス 井出

TEL. 03 (3581) 1101 内線 3521

FAX. 03 (3580) 6907